

Message Text

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ACTION DPW-01

INFO OCT-01 EA-11 ADP-00 CIAE-00 PM-09 H-02 INR-10 L-03

NSAE-00 NSC-10 PA-03 RSC-01 PRS-01 SS-15 USIA-12

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R 140740 Z APR 73

FM AMEMBASSY SAIGON

TO SECSTATE WASHDC 0165

INFO AMEMBASSY PHNOM PENH

AMEMBASSY VIENTIANE

CINCPAC

COMUSSAG

JCS

C O N F I D E N T I A L SAIGON 6338

E. O. 11652 GDS

TAGS: MILI, MOPS, VS, VN, LA, CB

SUBJECT: NEGOTIATING STRATEGY PLAN FOR USDEL FPJMT

REF: JCS DTG 311812 Z MAR 73

1. THE EMBASSY HAS DEVELOPED THE FOLLOWING NEGOTIATING STRATEGY PLAN IN CONSULTATION WITH THE U. S. DELEGATION OF THE FOUR PARTY JOINT MILITARY TEAM FOR MISSING IN ACTION.

2. BEGIN TEXT.

OBJECTIVES

THE U. S. DELEGATION TO THE FOUR PARTY JOINT MILITARY TEAM (FPJMT) HAS BEEN ESTABLISHED IN ACCORDANCE WITH ARTICLE 10 (A) OF THE PROTOCOL CONCERNING CAPTURED PERSONNEL FOR THE PURPOSE OF RESOLVING THE STATUS OF MORE THAN 1300 US AND THIRD COUNTRY NATIONALS WHO ARE MISSING IN ACTION (MIA) IN SOUTHEAST ASIA AND RECOVERING THE REMAINS OF AN ADDITIONAL 1100 PERSONS WHO ARE CONSIDERED DEAD BUT WHOSE BODIES HAVE NOT BEEN ACCOUNTED FOR (BNR). UNLESS OTHERWISE DIRECTED BY EMBASSY, THE U. S. DELEGATION TO THE FPJMT WILL FOCUS ITS EFFORTS ON REALIZING THE ABOVE
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OBJECTIVES.

3. PRIORITIES

USDEL HAS ALREADY GT AS ITS FIRST PRIORITY, IN ACCORDANCE WITH INFORMAL WASHINGTON INSTRUCTIONS, RECOVERY OF REMAINS OF 70 US AND THIRD COUNTRY NATIONALS WHO APPEAR ON THE DRV AND PRG LISTS PRESENTED IN PARIS AS HAVING DIED IN CAPTIVITY. USDEL SHOULD ALSO SEEK FROM THE OTHER SIDE AS EXTENSIVE RECORDS AS POSSIBLE ON THE CIRCUMSTANCES OF DEATH IN THESE CASES, CONSISTENT WITH THE PROVISIONS OF ARTICLE 120, GPW.

4. SECOND PRIORITY SHOULD BE TO SEEK INFORMATION FROM THE OTHER SIDE ON SPECIFIC MIA PERSONS WHO, ACCORDING TO US RECORDS, WERE BELIEVED CAPTURED ALIVE. DIA HAS PROVIDED USDEL FOLDERS WITH BACKGROUND INFORMATION ON ABOUT 80 PERSONS IN THIS CATEGORY, AND USDEL SHOULD USE INFORMATION FROM THESE FOLDERS IN MAKING SPECIFIC INQUIRIES OF THE DRV AND PRG, AS APPROPRIATE. DURING THIS STAGE OF NEGOTIATIONS, USDEL, IN CONJUNCTION WITH OTHER CONCERNED AGENCIES SUCH AS JCRC AND DIA, SHOULD DEVELOP OTHER LISTS OF MIA AND BNR PERSONNEL ON WHOM THERE IS CONSIDERED TO BE A REASONABLE PROBABILITY OF OBTAINING INFORMATION. AT THE APPROPRIATE TIME, USDEL SHOULD PRESENT LISTS OF ALL REMAINING MIA AND BNR PERSONNEL TO THE DRV AND PRG DELEGATIONS AS APPROPRIATE.

5. THIRD PRIORITY SHOULD BE GIVEN TO THE NEGOTIATION OF PROCEDURES FOR THE AIR AND GROUND SEARCH OF PRIORITY ONE AND TWO CRASH SITES LOCATED THROUGHOUT INDOCHINA. CRASH SITES IN THESE CATEGORIES TOTAL 588 AND CONSIST OF THOSE CRASH SITES WHICH WE BELIEVE ARE MOST LIKELY TO YIELD REMAINS. DUE TO THE FACT THAT THERE IS AS YET NO CEASE-FIRE IN CAMBODIA AND PRESENT NEGOTIATIONS IN LAOS HAVE NOT YET PRODUCED AGREEMENT ON PROCEDURES FOR CRASH SITE INSPECTIONS, AND THE FPJMT-MIA CHARTER MAY NOT APPLY TO THESE AREAS, USDEL WILL REALISTICALLY CONCENTRATE ITS EFFORTS ON CRASH/GRAVE SITES IN NORTH AND SOUTH VIETNAM, WITH THE AIM OF SECURING ENTRY RIGHTS FOR U. S. PERSONNEL TO CONDUCT AIR AND GROUND SEARCHES OF THE AREA AND RECOVER REMAINS. HOWEVER, USDEL SHOULD BE READY TO TAKE ADVANTAGE OF ANY OPPORTUNITY OFFERED BY THE OTHER SIDE TO DISCUSS PROCEDURES FOR CRASH SITE INSPECTIONS IN LAOS AND CAMBODIA SUBJECT TO COORDINATION WITH THE GOVERNMENTS CONCERNED THROUGH THE AMERICAN EMBASSIES IN VIENTIANE AND PHNOM PENH.

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6. USDEL SHOULD USE FPJMT OR BILATERAL NEGOTIATIONS WITH THE DRV DELEGATION WITHIN THE FPJMT FRAMEWORK AS APPROPRIATE TO OBTAIN APPROVAL FOR CRASH SITE INSPECTIONS IN NORTH VIETNAM. IN SOUTH VIETNAM, THE OBJECTIVE SHOULD BE TO EXAMINE FIRST THOSE CRASH SITES IN CLEARLY GVN OR PRG CONTROLLED AREAS PRIOR TO SEEKING AGREEMENT ON INSPECTIONS IN CONTESTED AREAS. HOWEVER, IF AN AREA IS AGREED UPON FOR SEARCH, EVERY REASONABLE EFFORT SHOULD BE MADE TO GAIN APPROVAL FOR INSPECTING ALL KNOWN SITES IN THE AREA WHILE THE US TEAM IS ON THE SPOT.

7. THE INSPECTIONS OF OTHER CRASH SITES AND RECOVERY OF OTHER BNR' S SHOULD BE GIVEN A LOWER PRIORITY.

8. PLANS FOR GENERAL OR LOCAL PUBLICITYSEEKING INFORMATION ABOUT MIA AND BNR PERSONNEL MAY BE DISCUSSED CONCURRENTLY, BUT SHOULD NOT BE PERMITTED TO DETRACT FROM EFFORTS TO RESOLVE CASUALTIES IN THE FIRST THREE PRIORITIES LISTED ABOVE.

9. NEGOTIATING GUIDANCE

THE DRV AND PARTICULARLY THE PRG HAVE ALREADY AND WILL PROBABLY INTENSIFY THEIR EFFORTS TO LINK US RESOLUTION OF MIA AND RECOVERY OF REMAINS WITH THE REALIZATION OF SOME OR ALL OF THE FOLLOWING POLITICAL OBJECTIVES OF THE OTHER SIDE.

A. RESOLUTION OF THE PRIVILEGES AND IMMUNITIES ISSUE AS A MEANS OF PROVIDING THE DRV AND PRG TEAMS WITH FREER MOVEMENT WITHIN THE RVN AND ACCESS TO THE SVN POPULATION.

B. PRG INTEREST IN OBTAINING GVN AGREEMENT TO RELEASE CIVILIAN POLITICAL DETAINEES WITHOUT CORERESPONDING RETURN OF PERSONS ABDUCTED BY THE COMMUNISTS.

C. PRG DESIRE TO GAIN RECOGNITION OF ITS CLAIMS TO CONTROL A GREATER PORTION OF THE RVN THAN CONCEDED BY THE GVN.

10. WHEN FACED WITH THESE COMMUNIST EFFORTS TO ACCOMPLISH POLITICAL OBJECTIVES, USDEL SHOULD CONTINUE TO STRESS POSITION THAT THE PURPOSE OF THE FPJMT IS THE RESOLUTION OF MIA AND RECOVERY OF REMAINS. POLITICAL ISSUES RAISED BY THE OTHER SIDE SHOULD BE REFERRED TO THE EMBASSY FOR CONSIDERATION. USDEL SHOULD MAINTAIN CLOSE CONTACT WITH THE GVN DELEGATION IN ORDER TO WORK OUT COMMON POSITIONS SO THAT DIFFERING US AND GVN POINTS OF VIEW ON SUCH QUESTIONS AS PRIVILEGES AND IMMUNITIES DO NOT IMPEDE THE FUNCTIONING OF THE FPJMT, AND FACILITATE USDEL' S EFFORTS
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TO SECURE COOPERATION OF GVN FOR CRASH SITE INSPECTIONS IN CONTESTED AREAS OF THE RVN. USDEL SHOULD COORDINATE WITH THE EMBASSY ON QUESTIONS INVOLVING RELATIONS BETWEEN US AND DRV OR PRG, SUCH AS THE ESTABLISHMENT OF A US LIAISON TEAM IN HANOI TO FACILITATE CRASH SITE INSPECTIONS IN NORTH VIETNAM. ARRANGEMENTS WHICH MAY BE DISCUSSED BY USDEL BILATERALLY WITH THE DRV OR PRG DELEGATIONS SHOULD NORMALLY BE BRIEFED TO THE GVN DEL AND TABLED IN THE FPJMT PLENARY SESSIONS TO ASSURE THE COOPERATION OF ALL PARTIES.

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